

United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

THE BANK OF NEW YORK MELLON,  
Plaintiff,  
v.  
LUZ HERNANDEZ, et al.,  
Defendants.

Case No. 16-CV-03213-LHK

**ORDER ADOPTING REPORT AND  
RECOMMENDATION THAT CASE BE  
REMANDED**

Re: Dkt. No. 4

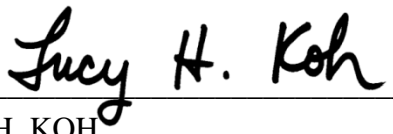
On June 10, 2016, Defendant Luz Hernandez (“Defendant”) removed this unlawful detainer action from the Superior Court of California for the County of Monterey. ECF No. 1. On June 15, 2016, Magistrate Judge Howard Lloyd issued a Report and Recommendation that the case be remanded. ECF No. 4. The Report and Recommendation was filed and served that same day. No objections have been filed, and the time to file objections has now expired. *See* Fed. R. Civ. P. 72(b)(2).

Having reviewed the Report and Recommendation, as well as the record in this case, the Court finds that the Report and Recommendation is well-founded in fact and in law. The Court ADOPTS the Report and Recommendation in its entirety and REMANDS the instant action to the Superior Court of California for the County of Monterey. The Clerk shall transfer the case file to

the Superior Court of California for the County of Monterey. The Clerk shall also serve a copy of this order on Defendant.

**IT IS SO ORDERED.**

Dated: July 7, 2016

  
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LUCY H. KOH  
United States District Judge

United States District Court  
Northern District of California